

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

IN RE:

**RIC (LAVERNIA) LLC,

DEBTOR.**

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**CASE NO. 24-51195
CHAPTER 11**

**KIERNAN MCALPINE AND MCALPINE LAW FIRM'S MOTION TO
WITHDRAW AS COUNSEL OF RECORD FOR PLAINTIFF**

TO THE HONORABLE MICHAEL J. PARKER,
UNITED STATES BANKRUPTCY JUDGE:

COMES NOW, Kiernan McAlpine, Attorney ("McAlpine") and McAlpine Law Firm, counsel of record for OTISCO RDX, LLC ("OTISCO"), in this cause, and file this Kiernan McAlpine And McAlpine Law Firm's Motion to Withdraw As Counsel Of Record (the "Motion") and would respectfully show the Court as follows:

I.

1. McAlpine is a board-certified personal injury attorney based in Houston, Texas who was engaged as special counsel by OTISCO for representation in this matter in or around March 24, 2025.
2. On May 11, 2025, McAlpine notified OTISCO of his intention to file a motion to withdraw and ask for a certificate of conference.
3. On May 12, 2025, McAlpine notified Debtor's counsel of his intention to withdraw.
4. On May 19, 2025, OTISCO provided a certificate of conference stating that they were not opposed to the withdrawal.
5. On May 30, 2025, Debtor's counsel advised that they were not opposed to the withdrawal on the condition that other counsel remained in the case.

II.

6. Good cause exists for McAlpine to withdraw from representing OTISCO in this matter. Continued representation would be encumbered by material limitations on counsel's ability to continue the representation consistent with ethical obligations, and it would impose undue burden and hardship on counsel. *See* TEX. DISC. R. PROF. C. 1.15(b)(2), (b)(6). It is therefore necessary for McAlpine to withdraw to protect OTISCO's interests. Accordingly, good cause exists for counsel's withdrawal. The withdrawal is not sought for delay but so that justice is done. McAlpine therefore requests that the Court permit the withdrawal and grant this Motion. OTISCO will not be prejudiced if this Motion is granted.

III.

7. McAlpine hereby certifies that the facts stated in this Motion are true and correct and that a copy of this motion has been transmitted to OTISCO's counsel of record and OTISCO via e-mail. Furthermore, McAlpine certifies that he conferred on OTISCO and the opposing party in the manner described above and neither opposed the relief requested.

PRAYER

WHEREFORE, McAlpine requests that this Court grant this Motion to Withdraw as Counsel of record, that McAlpine Law Firm be permitted to withdraw as counsel for OTISCO, and be granted any further relief, in law and in equity, to which they are justly entitled.

[Signature on next page]

Respectfully submitted,

MCALPINE LAW FIRM, PLLC

/s/ Kiernan McAlpine

Kiernan McAlpine

Texas State Bar No. 24058519

440 Louisiana Street, Suite 350A

Houston, Texas 77002

Telephone: (713) 999-3336

kier@mcaldpinelaw.com

service@mcaldpinelaw.com

ATTORNEY FOR OTISCO

CERTIFICATE OF CONFERENCE

I certify that I have conferred with the attorney of record for the Debtor and I have conferred with OTISCO and neither oppose this Motion.

/s/ Kiernan McAlpine

Kiernan McAlpine

CERTIFICATE OF SERVICE

I hereby certify that on June 2, 2025 a true and correct copy of the foregoing Motion to Withdraw was forwarded and served via the Court's CM/ECF system on all counsel of record.

/s/ Kiernan McAlpine

Kiernan McAlpine